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Comprehensive review of the whole question of peacekeeping operations in all their aspects

Administrative and safety arrangements relating to the management of military utility helicopters in peacekeeping operations

Report of the Secretary-General

Summary

Military aircraft play a critical role in supporting the successful implementation of United Nations peacekeeping mandates. In response to the request of the Special Committee on Peacekeeping Operations (A/63/19, para. 71, and A/64/19, para. 72), the present report outlines the administrative and safety arrangements related to the management and use of military utility helicopters in United Nations peacekeeping missions. It furthermore reflects the measures undertaken by the United Nations Secretariat to ensure effective implementation of the existing frameworks in the field in order to achieve operational responsiveness and flexibility.

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I. Introduction

1. United Nations peacekeeping operations today depend greatly on military aircraft to implement their mandates successfully. The topic of administrative and safety arrangements employed in the management of military utility helicopters in United Nations peacekeeping operations has engendered significant exchange among Member States and between the membership and Secretariat for some time. The present report responds to requests by the Special Committee on Peacekeeping Operations (A/63/19, para. 71, and A/64/19, para. 72) for the Secretariat to update Member States on the current status and developments in the area of aviation safety in United Nations peacekeeping, including administrative and safety arrangements related to the management and use of military utility helicopters in peacekeeping missions.

2. As the complexity of United Nations peacekeeping mandates has increased, so too has the need for peacekeeping operations to respond rapidly and flexibly to changing circumstances on the ground, to be mobile across vast and at times inhospitable areas, to safeguard personnel and respond to crises and emergencies through effective risk management and improved situational awareness. Many of the tasks undertaken by peacekeeping operations today, including, but not limited to, support to the extension of State authority, protection of civilians, elections support, and monitoring of sanctions, cannot be supported by a static peacekeeping presence. Instead, they call for mobile and adaptable peacekeeping missions. Recent initiatives to strengthen United Nations peacekeeping such as the "New Horizon" process (see www.un.org/en/peacekeeping/newhorizon) and the global field support strategy (see A/64/633) have underscored this need.

3. Military utility helicopters provided by Member States form a central component of this required capability. They represent a critical force multiplier that enables mission leadership to execute the mandated tasks successfully and responsibly. In support of mandate implementation, military utility helicopters carry out a wide range of mission-critical tasks. These include, among other activities, casualty evacuation (CASEVAC) and medical evacuation (MEDEVAC), search and rescue response, troop insertion and extraction, aerial observation, as well as more routine operational missions, including medium-lift transport of troops and logistics, re-supply, VIP special flights, and passenger/cargo flights. A number of operational activities asked of peacekeeping missions today cannot be executed by other mission assets such as civilian contracted aircraft, particularly where armed self-protection may be required or where air assets may be needed as a show of force for deterrent effect or to provide support in a hostile situation.

4. As I noted in my December 2009 report to the Special Committee on Peacekeeping Operations (A/64/573 and Add.1), the lack of crucial assets such as aerial mobility impedes missions' ability to implement mandates effectively. At the time of writing, a total of 89 military helicopters, 73 of which constitute military utility helicopters, were deployed in nine United Nations peacekeeping missions. Military utility helicopters represent 39 per cent of the total rotary wing air fleet and 29 per cent of the total deployed United Nations aircraft fleet. United Nations peacekeeping today relies on only a small group of presently 13 Member States that provide this vital asset to missions. Several current peacekeeping operations continue to suffer from a shortfall in military utility helicopters that hampers mandate implementation, including 18 helicopters in the African Union-United

Nations Hybrid Operation in Darfur (UNAMID), 11 in the United Nations Mission in the Central African Republic and Chad, and 4 in the United Nations Operation in Côte d'Ivoire and the United Nations Interim Force in Lebanon, respectively. These shortfalls suggest a continued need for concerted effort on the part of Member States and the Secretariat alike to secure additional aerial assets for United Nations peacekeeping operations. This is a matter that I have consistently raised in my discussions with Member States, particularly with regard to the capability gaps that are created in missions such as UNAMID.

5. Where the United Nations has been provided this valuable resource, we are committed to ensuring that this asset is used within the rules and regulations of the Organization. Where military utility helicopters are available, our missions are often confronted with a delicate balancing act of ensuring that these vital assets are used to maximum effect to deliver on mission priorities and to meet operational demands, while also maintaining accountability and adherence to relevant national and United Nations rules and regulations that seek to ensure responsible financial management and maintain aviation safety standards at all times. The frameworks and arrangements for the management, use, and safety of military air assets must be clear. These arrangements have the flexibility embedded to allow the balancing of risk with operational necessities. Force Commanders and mission leadership must be able to direct the use of these assets quickly and effectively to meet mandate implementation priorities and respond to crises.

6. The present report responds to a request to update Member States on the administrative and safety arrangements already in place for military utility helicopters in United Nations peacekeeping operations. To that end, the report describes the contractual and managerial framework for military utility helicopters and outlines the current operating framework for tasking those assets. It describes the United Nations aviation safety and quality assurance regimes that have been established, including recent developments in these areas.

II. Current management framework for military aircraft

A. Letters of assist and management framework

7. Military aircraft are provided to United Nations peacekeeping missions by Member States through a negotiated agreement known as the letter of assist. While military utility helicopters first and foremost provide mobility for military land forces, they constitute mission assets and, when not engaged in military operations, may be used to supplement the aviation support effort of commercially contracted aircraft. Typical military-specific roles include armed escort and response, close air support to deployed military formations on the ground, show of force, patrol, troop insertion and extraction, and search and rescue duty. Military utility helicopters are also utilized to provide CASEVAC/MEDEVAC, VIP and passenger transport, re-supply and observation, and other forms of routine logistics transport.

8. The letter of assist serves as the formal contractual arrangement negotiated and concluded between a Member State as a troop-contributing country and the United Nations. It reflects the force requirement as derived from the military concept of operations to support the mission mandate. It is articulated by the Department of Peacekeeping Operations and outlines the troop-contributing country's

responsibilities to the United Nations with respect to the operation and maintenance of the aircraft, necessary qualifications of the aircrew, and the set of tasks the aircraft is permitted to carry out on behalf of the United Nations. The letter of assist defines the rate of reimbursement for services provided in accordance with the United Nations Financial Regulations and Rules. Rates of reimbursement are negotiated between the United Nations and the contributing country and vary based on a range of variables, including the airframe contributed, special equipment, and the provision of specialized capability. Standard personnel costs are provided for in existing arrangements for contingent-owned equipment (see Contingent-Owned Equipment Manual 2008 edition (A/C.5/63/18)). Before finalization of the letter of assist, Member States' offers are evaluated technically and operationally to ensure that the stipulated requirements can be met with the proposed structure and capabilities. A template letter of assist is published in the United Nations Procurement Manual (Revision 06 — March 2010).

9. Within the mission, the Director of Mission Support or Chief of Mission Support is responsible, on behalf of the Special Representative of the Secretary-General, for the administrative and financial management of mission assets, including accounting for the utilization of military utility helicopters and monitoring compliance with the provisions of the letter of assist. The Director of Mission Support/Chief of Mission Support is further responsible for ensuring adherence to relevant safety standards and provisions under the United Nations Department of Peacekeeping Operations Aviation Manual (May 2005), as outlined in further detail in section III of the present report.

B. Operating framework and United Nations tasking authority of aircraft

10. Military utility helicopters provided under letters of assist to United Nations peacekeeping missions are generated based on force requirements and provided as mission assets. They operate under the overall authority of the Head of Mission and support the achievement of mission-wide priorities in support of the mandate. The Department of Peacekeeping Operations/Department of Field Support Policy on Authority, Command and Control in United Nations Peacekeeping Operations details the management supervision over and tasking authorities for military aircraft. In the case of military utility helicopters, the Head of Military Component exercises operational control over military personnel while the aircraft are managed as part of the integrated support services of a United Nations peacekeeping mission.

11. The overall tasking process for all mission aviation assets, including military utility helicopters, is conducted through an integrated mission procedure, using the Air Tasking Order procedure. This integrated, centrally coordinated and managed process is aimed at ensuring responsive, safe and cost-effective aviation support that meets operational requirements and provides for optimal flexibility and responsiveness to the Head of Mission, Force Commander and other component heads in executing their mandated responsibilities. The concept of the United Nations tasking authority is designed to ensure that aircraft are tasked in accordance with applicable aviation regulations and in accordance with the stipulations of the letter of assist. It also ensures that air assets are dispatched in accordance with the mission's standard operating procedures, including, for example, procedures relating to flight planning and pre-flight briefing and in-flight radio procedures.

12. The tasking priorities for mission air assets are established, planned, and coordinated through the Mission Air Operations Centre, an integrated mission body with civilian as well as military representatives that maintains responsibility for development of the Air Tasking Order and ensures management of mission aircraft, 24 hours a day, 7 days a week. Procedures for air tasking priority are outlined in the Department of Peacekeeping Operations/Department of Field Support Aviation Manual. The established priorities are CASEVAC and emergency MEDEVAC; search and rescue; VIP special flights (political/diplomatic, mostly United Nations contracted aircraft); operational missions, including troop movements and related military operations; re-supply and observation; routine MEDEVAC; and passenger/cargo. These priorities are applied flexibly depending on the prevailing circumstances; so for instance operational requirements may be a higher priority than VIP flights.

13. The United Nations is committed to taking the necessary steps to ensure military air assets are used efficiently and effectively for crisis and emergency response and in support of critical military operations. In pursuit of this, the Force Commander is assigned a written monthly allotment of guaranteed flying hours for military utility helicopters, on which he or she can draw to execute movement of reserves and reinforcements, logistic support and related operational activities. The Under-Secretary-General for Field Support recently recirculated this policy requirement to mission leadership to ensure compliance with the allotment provision. All missions are now in compliance with this requirement. Furthermore, military air assets in each mission may be earmarked on the Air Tasking Order as standby for specific pre-planned immediate rapid response at the request of the United Nations Military Commander and coordinated in advance. Once these assets are scheduled on the Air Tasking Order, the Force Commander has the authority to release the aircraft for designated missions provided the aircraft comply with United Nations directives and procedures and the terms and conditions of the letter of assist. It is recognized that tactical emergencies, immediate CASEVAC and MEDEVAC require quick reaction and responsiveness. Nonetheless, the requirement for the established tasking procedures remains. The tasking of assets in these situations can be verbally authorized and the administrative documentation fulfilled retrospectively. Other aircraft not on standby can be retasked rapidly by the Air Operations Centre to augment resources during a crisis using established Air Tasking Order tasking procedures.

14. It is the view of the United Nations Secretariat that the established management and operating framework for the use of military utility aircraft is strong and allows for the effective use of military helicopters to meet mandate requirements and respond to emergencies. The existing policies and procedures are intended to ensure adequate air support for all mission stakeholders, including sufficient support for military operations. The Department of Field Support and the Department of Peacekeeping Operations are committed to ensuring the effective implementation of this framework in the field and ensuring that the Force Commander and mission leadership can meet their operational requirements while ensuring sound financial and administrative practices are respected and aviation safety standards are maintained at all times. Nevertheless, conflicting priorities may occasionally arise among various mission components, particularly during periods of peak activity or during the conduct of several major operations at the same time. The resolution of these situations demands strong integrated planning by mission

senior management to clarify mission priorities and regular review of those priorities. It further demands that personnel, both civilian and military, are well acquainted with planning and tasking procedures within the United Nations integrated support concept.

III. Aviation safety

15. The United Nations is firmly committed to the safety of all aviation activity in its peacekeeping missions. The Organization places the highest emphasis on the safety of mission personnel and assets, including those contributed generously by Member States. Although peacekeeping operations are unique and cannot be compared with any other types of aviation operations, the Department of Peacekeeping Operations and the Department of Field Support provide an aviation safety regime in line with the latest developments and established best practices in global aviation by implementing and managing relevant aviation safety programmes. Such programmes provide a management framework encompassing clear aviation safety standards and responsibilities, effective decision-making and risk management processes, and the necessary resources for implementing aviation safety and quality assurance programmes in the field and at headquarters. It also involves the fostering of an aviation safety culture that is built on effective leadership, commitment to safety, and clear responsibility and accountability at all levels.

16. The aviation safety policy framework of the Department of Field Support and the Department of Peacekeeping Operations is described in the United Nations Aviation Safety Manual (February 2003), which is currently under revision to incorporate more recent evolutions in strengthening aviation safety. The most important of those improvements have been encapsulated in recent years in two important internal guidance documents: the Department of Peacekeeping Operations/Department of Field Support Policy Directive on Aviation Safety (April 2009) and the Department of Peacekeeping Operations/Department of Field Support Policy Directive on Aviation Operational Risk Management (April 2008) and will be incorporated into the revised manual. Taken together, these documents describe the relevant policies, roles and responsibilities for peacekeeping aviation safety. They have helped to shift aviation safety in United Nations peacekeeping from a reactive to a proactive mode to ensure the early identification of hazards, associated risk and timely risk mitigation.

17. The safety standards applicable to military aviation in United Nations peacekeeping are well established. When a military aircraft is provided under a letter of assist, the United Nations requires that the Government of the troop-contributing country shall be solely responsible for the safety and airworthiness of the aircraft, as well as its ensuing operation. The aircraft shall be properly manned, equipped, operated, inspected, maintained and serviced, in compliance with the rules and regulations of the contributing country. This ensures that aircrews and maintenance personnel are implementing the aviation safety regulations in which they have been trained and with which they have experience. The United Nations specifies certain additional baseline requirements regarding minimum aircrew experience and technical specifications and equipment of aircraft that must be met. The United Nations also requires that, where applicable, other aeronautical rules and regulations, including of the host country such as flight planning and reporting

requirements, weather minima, airspace restrictions, and other air traffic control procedures are followed. In the event of discrepancies between the rules and regulations of the troop-contributing country, the United Nations standard operating procedures and the host country regulations, the most restrictive provision applies.

18. To ensure that aviation safety standards are met, each military aircraft is inspected upon initial deployment and prior to being accepted for operational tasking. The inspection is conducted by the mission Aviation Safety Officer, in coordination with a Technical Compliance Officer from the mission's Aviation Section. The inspection involves a detailed verification of compliance with the provisions of the letter of assist. Ongoing inspections of units and aircraft are conducted through the mission's quality assurance and technical compliance programme, described below.

19. To support and implement the aviation safety policy framework, an aviation safety structure has been established at United Nations Headquarters and in field missions. At United Nations Headquarters, the Aviation Safety Section of the Logistics Support Division in the Department of Field Support provides aviation safety oversight in support of all relevant field missions supported by the Department. The Section develops policies and guidelines, provides technical support and advice to aviation safety structures in the field, and supports the Under-Secretary-General for Field Support in the fulfilment of his or her aviation safety responsibilities.

20. Aviation safety structures in field missions ensure that mission management receives timely advice on aviation safety matters and that the provisions of the Mission Aviation Safety Programme are followed. Aviation structures in missions integrate civilian and military personnel within a single coherent framework for ensuring safety in aviation operations, maintenance and infrastructure. The size and structure of aviation safety components may vary from a single Mission Aviation Safety Officer in a small mission (with oversight and support provided by either a neighbouring mission or a Regional Aviation Safety Office) to considerably larger aviation safety structures for missions with larger air fleets. In all cases, the structure is determined based on the necessary requirements to implement in full the Mission Aviation Safety Programme.

21. Aviation safety personnel in a peacekeeping mission conduct their activities in accordance with the Mission Aviation Safety Programme, which seeks to identify reported and observed hazards and determine appropriate risk mitigation measures. Regular inspections of airfields and landing sites are conducted, aircraft occurrence reports are reviewed and analysed, investigations of incidents affecting mission aircraft are conducted and any underlying factors that may affect the safety of ongoing air operations are thoroughly analysed. Aviation safety personnel provide initial and recurrent briefings and training and disseminate safety information to all concerned.

22. Military aviation units in peacekeeping missions usually deploy with a dedicated Aviation Safety Officer, or else a suitably experienced officer will be appointed to that function. All military aviation units are required to comply with the provisions of the Mission Aviation Safety Programme, including compliance with the airspace management rules of the host country, reporting of occurrences and observed hazards, and exchange of safety information. There is ongoing liaison and communication between the unit commanders or unit Aviation Safety Officers

and the Mission Aviation Safety Officers. In addition, representatives of the military aviation units/contingents are members of the mission's Aviation Safety Council and take active part in all discussions related to the organization, management and safety of the mission's air operations.

23. Operational decisions relating to the safety of a given flight are taken using a well-established operational risk management procedure, which involves the identification of aviation hazards, evaluation of the associated risks and the implementation of appropriate risk mitigation measures to ensure that peacekeeping air operations are conducted at or below the acceptable levels of risk for each type of operation. This framework was officially promulgated in the Policy Directive on Aviation Operational Risk Management (April 2008). That document articulates missions' operational risk management decision-making process, which engages all of the necessary managerial levels required in overseeing planning and execution of flights, including the management of changes to flight operations. This process allows the balancing of risk with operational necessities. The Head of Military Component is responsible for ensuring that the aviation operational risk management process is integrated effectively in military decision-making regarding the use of military aviation assets for planning and executing military operations.

24. The United Nations Secretariat is confident that the aviation safety policies and structures in place provide a comprehensive aviation safety regime for United Nations peacekeeping. Deepening experience with implementing the operational risk management process will lead to further gains in aviation safety in United Nations peacekeeping. To further extend the success of this approach, the Department of Field Support and the Department of Peacekeeping Operations have identified the need to further enhance cooperation with troop-contributing countries in the familiarization and training of their personnel in the operational risk management framework. This is discussed further in section V below.

IV. Aviation Quality Assurance Programme

25. Complementary to the aviation safety programme, the Department of Field Support also implements an Aviation Quality Assurance Programme in all missions. This programme was endorsed by Member States as a strategic initiative to enhance the quality and safety of aviation in United Nations peacekeeping missions. The programme is managed and executed by the Department of Field Support. The mission Aviation Section technical compliance and quality assurance specialists implement the programme at mission level. It is closely coordinated with mission aviation safety programmes.

26. Aviation quality assurance programmes are now in place for all Department of Field Support-administered missions with an aviation component. These programmes serve three broad objectives in United Nations peacekeeping: (a) to enhance safety; (b) to assist in letter of assist management at the United Nations Headquarters and field mission levels; and (c) to mitigate risk in ongoing operations. The programme ensures that United Nations senior management and mission leadership can have confidence that required standards are being met in both civilian and military air operations. As such, the programme requires active oversight by both management and aviation specialists at the strategic, operational and tactical levels.

27. Under the United Nations quality assurance system, all civilian and military aviation components are actively assessed through a performance evaluation regime, which includes regular monitoring, periodic audit, and identification and analysis of trends identified in mission performance evaluations. The quality assurance process begins on arrival of every aircraft and crew in the mission area. Any aircraft that are replaced or returned to the mission must also undergo inspection and acceptance. Thereafter, military aviation units/contingents are subject to semi-annual performance evaluations, which may yield important performance indicators, trends for analysis, and recommendations for improvements. Typically, the quality standards monitored under the programme include aircrew qualifications and experience (as per United Nations requirements), adequacy of training to meet aircrew currency requirements (e.g., night flying), and the adequacy of continuing maintenance being carried out on aircraft to meet airworthiness requirements.

28. Where corrective actions are required, recommended measures for improvement are followed up in close cooperation with the relevant civilian contractor or military unit. If corrective measures are not forthcoming, the mission may use the quality assurance process to trigger further inspections or other steps to bring the contractor or unit into compliance. In serious cases of non-compliance and continued failure to take corrective measures, the mission may consider the "grounding" of aircraft for United Nations operations or, ultimately, the severance of the contract.

29. To ensure that the Aviation Quality Assurance Programme is further strengthened as a cooperative undertaking, the Department of Field Support and the Department of Peacekeeping Operations are committed to working with troop-contributing countries and their deploying personnel to ensure that they are fully aware of the standards applied in this process, and of how to work with the mission quality assurance programmes in the field. The Department of Field Support is committed to ensuring that the programme is brought into conformity with international best practice. To that end, an external aviation quality assurance consultant will be engaged during 2010 with the objective of attaining the internationally recognized International Organization for Standardization (ISO) 9001 certification of the Aviation Quality Assurance Programme of the Department of Field Support.

V. Observations

30. Military aircraft represent an indispensable asset in United Nations peacekeeping. The existing administrative and safety frameworks that underpin the management and use of these critical contributions are both comprehensive and robust. They support the optimal usage of mission air assets both for military tasks and in support of mission priorities while simultaneously upholding aviation safety standards and safeguarding sound financial and administrative practices.

31. Problems with the execution of relevant policies and procedures concerning the use of military utility helicopters remain the exception rather than the rule, and the United Nations is committed to ensuring that all relevant frameworks are implemented effectively in the field. While regular review and update of existing frameworks remains an imperative, primacy is placed on assuring that all mission stakeholders adhere to and execute current policies in full. The Under-Secretaries-

General for Peacekeeping Operations and for Field Support have identified regular and comprehensive training of both civilian and military leadership in missions on aviation safety and management procedures as a priority. Already, missions receive information on and access to relevant policy documents that clarify the roles and responsibilities of different mission components and the standard procedures in utilizing military air assets. The United Nations Secretariat is dedicated to ensuring that applicable policies are communicated on a regular basis and clarified where concerns arise. The Department of Peacekeeping Operations and the Department of Field Support will arrange for appropriate joint briefings of individual senior members of mission leadership on all aspects of policy pertaining to the integrated management and tasking of military aviation assets prior to deploying to the field, at subsequent senior leadership training and at annual conferences. We will continue to work with Member States to uphold critical safety and administrative arrangements to support the safe and effective use of military utility helicopters in United Nations peacekeeping.